

EDELSON PC  
 Jay Edelson (*pro hac vice*)  
 Benjamin H. Richman (*pro hac vice*)  
 Alexander G. Tievsky (*pro hac vice*)  
 350 North LaSalle Street, 14th Floor  
 Chicago, IL 60654  
 Telephone: (312) 589-6370  
 Fax: (312) 589-6379  
 jedelson@edelson.com

Kendrick Jan, CA SBN 105149  
 Kendrick Jan, APC  
 402 West Broadway, Suite 1520  
 San Diego, CA 92101  
 Telephone: (619) 231-7702  
 kj@jan-law.com

John J. Pentz, Esq. (*pro hac vice*)  
 Mass. Bar No. 561907  
 19 Widow Rites Lane  
 Sudbury, MA 01776  
 Telephone: (978) 261-5725  
 jjpentz3@gmail.com

ROBBINS GELLER RUDMAN & DOWD LLP  
 Paul J. Geller (*pro hac vice*)  
 Stuart A. Davidson (*pro hac vice*)  
 120 East Palmetto Park Road, Suite 500  
 Boca Raton, FL 33432  
 Telephone: 561/750-3000  
 561/750-3364 (fax)  
 pgeller@rgrdlaw.com

*Counsel for Objectors Dawn Frankfother  
 and Cathy Flanagan*

LABATON SUCHAROW LLP  
 Michael P. Canty (*pro hac vice*)  
 140 Broadway  
 New York, NY 10005  
 Telephone: (212) 907-0700  
 Fax: (212) 818-0477  
 mcanty@labaton.com

*Counsel for Plaintiffs*

[Additional counsel appear on signature page.]

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

In re FACEBOOK BIOMETRIC  
 INFORMATION PRIVACY LITIGATION

) Master File No. 3:15-cv-03747-JD

) CLASS ACTION

This Document Relates To:

) STIPULATION REGARDING COSTS ON  
 ) APPEAL AND OBJECTORS'  
 ) ATTORNEYS' FEES

ALL ACTIONS.

1 Plaintiffs and the Class on the one hand, and Objectors Dawn Frankfother and Cathy  
2 Flanagan on the other, hereby stipulate as follows:

3 1. Plaintiffs timely filed their bill of costs on March 31, 2022, seeking \$108,069.09  
4 in costs incurred as a result of Objectors' appeal but taxed in the district court pursuant to  
5 Federal Rule of Appellate Procedure 39(e).

6 2. On April 8, 2022, Class Counsel and Objectors' counsel held a telephonic meet  
7 and confer regarding the costs as required by Local Civil Rule 54-2(b).

8 3. During the telephone call, Objectors' counsel unilaterally stated that Ms.  
9 Frankfother and Ms. Flanagan will not take any further action in this matter. Objectors now  
10 confirm the same to the Court and understand that this confirmation acts as a knowing and  
11 voluntary waiver of further review by this Court, the Ninth Circuit, or the Supreme Court.

12 4. No consideration whatsoever was provided in exchange for Objectors' decision  
13 not to pursue additional avenues of appeal. Rather, Objectors' decision not to pursue further  
14 appeals permitted Class Counsel to confirm that the Class would not incur any future costs as a  
15 result of Objectors' appeals, and that the dispute about costs was limited to the amount that the  
16 Class had already claimed. Class Counsel made no offers with respect to the bill of costs or any  
17 other matter until after Objectors confirmed that they did not intend to seek further review.

18 5. Class Counsel and Objectors' counsel thereafter agreed that, in the interests of  
19 promoting efficient litigation and avoiding additional satellite proceedings, Plaintiffs and the  
20 Class will withdraw their bill of costs, (dkt. 573), and Objectors will not seek to renew or  
21 otherwise pursue any request for attorneys' fees and costs. (dkt. 538).

1 DATED: April 11, 2022

s/ Alexander G. Tievsky  
Class Counsel

2  
3 EDELSON PC  
JAY EDELSON\*  
BENJAMIN RICHMAN\*  
4 ALEXANDER G. TIEVSKY\*  
350 North LaSalle Street, 14th Floor  
5 Chicago, IL 60654  
Telephone: 312/589-6370  
6 312/589-6378 (fax)

7 EDELSON PC  
8 RAFEY S. BALABANIAN (315962)  
150 California Street, 18th Floor  
San Francisco, CA 94111  
9 Telephone: 415/212-9300  
10 415/373-9435 (fax)

11 ROBBINS GELLER RUDMAN  
& DOWD LLP  
12 PAUL J. GELLER\*  
STUART A. DAVIDSON\*  
13 120 East Palmetto Park Road, Suite 500  
Boca Raton, FL 33432  
14 Telephone: 561/750-3000  
561/750-3364 (fax)

15 ROBBINS GELLER RUDMAN  
& DOWD LLP  
16 PATRICK J. COUGHLIN  
ELLEN GUSIKOFF STEWART  
17 LUCAS F. OLTS  
RANDI D. BANDMAN  
18 655 West Broadway, Suite 1900  
San Diego, CA 92101  
19 Telephone: 619/231-1058  
619/231-7423 (fax)

20 ROBBINS GELLER RUDMAN  
& DOWD LLP  
21 SHAWN A. WILLIAMS (213113)  
One Montgomery Street, Suite 1800  
22 San Francisco, CA 94104  
23 Telephone: 415/288-4545  
415/288-4534 (fax)

24 LABATON SUCHAROW LLP  
25 MICHAEL P. CANTY\*  
140 Broadway  
26 New York, NY 10005  
Telephone: 212/907-0700  
27 212/818-0477 (fax)

28 *Attorneys for Plaintiffs and Class Counsel*

1  
2 DATED: April 11, 2022

s/ John J. Pentz

3 Kendrick Jan, CA SBN 105149  
4 Kendrick Jan, APC  
5 402 West Broadway, Suite 1520  
6 San Diego, CA 92101  
7 Telephone: (619) 231-7702  
8 kj@jan-law.com

9 John J. Pentz, Esq. (*pro hac vice*)  
10 Mass. Bar No. 561907  
11 19 Widow Rites Lane  
12 Sudbury, MA 01776  
13 Telephone: (978) 261-5725  
14 jjpentz3@gmail.com

*Counsel for Objectors Dawn Frankfother and  
Cathy Flanagan*

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16  
17 I hereby attest that the content of this document is acceptable to all persons whose signatures are  
18 indicated by a conformed signature (s/) above.

19  
20 s/ Alexander G. Tievsky

21  
22 PURUSANT TO STIPULATION, IT IS SO ORDERED. Plaintiffs' bill of costs (dkt. 573) is  
23 withdrawn, and Objectors Dawn Frankfother and Cathy Flanagan waive any further motion for  
24 attorneys' fees and costs.

25 Dated: April 15, 2022

